

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

LUIS A. ACEVEDO GARCIA, ET ALS. *

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Plaintiffs *

*

Civil No.: 97-2639(JP)

vs. *

*

HON. ROBERTO VERA-MONROIG,
ET ALS. *

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Defendants *

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MOTION REQUESTING HEARING

TO THE HONORABLE COURT:

COMES NOW plaintiffs, through the undersigned attorney, who very respectfully states and prays as follows:

We received today a letter by plaintiff Nora Lopez Maldonado in which she informed us that she will be submitted to a surgical procedure. She is considered osteoporotic and is at a high risk for a fragility fracture. The cost of this surgical procedure and the medical treatment needed, is over \$30,000.00 which plaintiff does not have and she has no medical plan.

In the mean time the Mayor of Adjuntas is arranging a party for this month in which over \$50,000.00 will be spent for the re-inauguration of the Town Plaza.

We request that a hearing be scheduled to present our objections to the payment plan presented by defendants. We are also requesting that the City of Adjuntas be ordered to allocate at least 1/3 of their 2008-2009 budget for the payment of this judgment.

The reason for our Motion requesting a hearing is simple. If the City of Adjuntas has, as they stated in their payment plan, the economic capacity to pay between

\$620,000.00 - \$1,155,000.00 annually over a period of 14 years it is more logical and fiscally responsible to request a loan to the Government Development Bank and/or to a private bank that will grant them 30 years to pay the loan with an obvious smaller annual disbursement. This will have less impact on the City's finances and will be in compliance with 21 LPRA 4303 (c).

On the other hand, if this Court orders that 1/3 of the 2008-2009 budget of the City of Adjuntas be allocated for the payment of this Judgment this will trigger or activate the disposition of Law 9. This Law states that it is the State's Government responsibility to pay for a Judgment that will affect the City's financial situation and it is mandatory for the state to grant a loan which the City can repay in 30 years.

It is extremely urgent in order to avoid a miscarriage of Justice that the payment of the Judgment stipulated by the parties, be enforced as it has been done in previous cases.

WHEREFORE, we respectfully requested that this Motion BE GRANTED.

I hereby certify that on this date, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the attorneys in this case.

RESPECTFULLY SUBMITTED.

In Aguadilla, Puerto Rico, this 4th day of August, 2008.

s/ Israel Roldán González
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